



ATTENTION: APPLICATIONS BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Serial No.: **09/826,909**
Applicant(s): **Bettina MOECKEL et al.**
Filing Date: **APRIL 6, 2001**
For: **NEW NUCLEOTIDE SEQUENCES FOR ENCODING OF THE lysR2-GENE**

SIR:

Attached hereto for filing are the following papers:

**Filing of Declaration Under 37 CFR §1.53(f)
Declaration, Power of Attorney and Petition (8 pages executed)
Return Copy - Notice to File Missing Parts of Application
Filing of Certified English Translation Under 37 CFR §1.52(d)
Translator's Declaration (executed) w/attached Certified English Translation**

Our check in the amount of \$-0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the U.S. Patent and Trademark Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Registration No. 24,618

James J. Kelly, Ph.D.
Registration No. 41,504

Docket No. 205551US0X



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/98)

Docket No.

205551US0X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bettina MOECKEL et al.

SERIAL NUMBER: 09/826,909

ATTN: APPLICATION BRANCH

FILING DATE: APRIL 6, 2001

FOR: NEW NUCLEOTIDE SEQUENCES FOR ENCODING OF THE lysR2-GENE

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **June 1, 2001**, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the following information:

Name(s) of Inventor(s)

Title of Invention

Attorney Docket Number

Filing Date

thereby adequately identifying the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Attorney of Record
Registration No. 24,618

James J. Kelly, Ph.D.
Registration No. 41,504



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 7/98)

Docket No.: 205551US0X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE



IN RE APPLICATION OF :
Bettina MOECKEL et al. : ATTN: BOX MISSING PARTS
SERIAL NO: 09/826,909 :
FILED: APRIL 6, 2001 :
FOR: NEW NUCLEOTIDE SEQUENCES
FOR ENCODING OF THE lysR2-GENE

**FILING OF CERTIFIED ENGLISH
TRANSLATION UNDER 37 CFR 1.52(d)**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

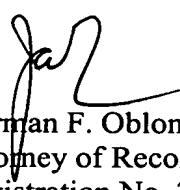
Responsive to the Notice to File Missing Parts of Application (Form PTO-1533) dated June 1, 2001, Applicants submit herewith a certified English translation of the application, as filed, in accordance with the provisions of 37 C.F.R. §1.52(d).

The required fee was paid at the time of filing of the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Norman F. Oblon
Attorney of Record
Registration No. 24,618



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/98)

James J. Kelly, Ph.D.
Registration No. 41,504



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/826,909	04/06/2001	Bettina Moeckel	205551US0X

RECEIVED
 JUL 24 2001
 200150
 UNITED STATES PATENT & TRADEMARK OFFICE
 120 SPIVAK MCCLELLAND MAIER & NEUSTADT PC
 FOURTH FLOOR
 1755 JEFFERSON DAVIS HIGHWAY
 ARLINGTON, VA 22202

CONFIRMATION NO. 6560
 FORMALITIES LETTER



OC0000000006138745

Date Mailed: 06/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE